

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Joseph ROBERTS, et al.

Title: **PROTECTING THERAPEUTIC
COMPOSITIONS FROM HOST-
MEDIATED INACTIVATION**

Appl. No.: 09/972,245

Filing Date: October 9, 2001

Examiner: Richard A. SCHNIZER

Art Unit: 1635

Confirmation Number: 3976

**FILED VIA EFS-WEB
ON
AUGUST 22, 2008**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56.

The listing of documents cited on Form PTO/SB/08 is a listing of the documents cited by or submitted to the U.S.P.T.O. in the pending, child application *prosecuted under the Accelerated Examination Program*, U.S. 12/041,908.

As provided in 37 C.F.R. § 1.98(d), copies of the documents which were previously cited by or submitted to the U.S.P.T.O. in the above-identified parent application are not being submitted. A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the subject application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the subject application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. §1.97(c), after mailing of a non-final Office Action and before the mailing of a Final Office Action or Notice of Allowance.

RELEVANCE OF EACH DOCUMENT

The listing of documents cited on Form PTO/SB/08 is a listing of the documents cited by or submitted to the U.S.P.T.O. in the pending, child application *prosecuted under the Accelerated Examination Program*, U.S. 12/041,908. Documents identified as E1-E23 and E25-E27, were a result of the pre-examination search conducted in the child application, U.S. 12/041,908, and cited in the Information Disclosure Statement filed March 14, 2008. Document identified as E24 was cited by the Examiner in the Office Action dated June 24, 2008 in the child application, U.S. 12/041,908.

As provided in 37 C.F.R. § 1.98(d), a copy of each non- U.S. patent document identified as E14-E20, and non-patent document identified as E21-E27 is being submitted.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. §609.

FEE

Fees in the amount of \$180.00 in accordance with 37 C.F.R. §1.17(p) to cover the fee associated with an information disclosure statement under 37 C.F.R. §1.97(c) are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit

card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Brian McCaslin

Date 22 August 2008

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